

**AMENDMENT OF SOLICITATION/MODIFICATION OF CONTRACT**1. CONTRACT CODE  
12PAGE OF PAGES  
1 32. AMENDMENT/MODIFICATION NO.  
523. EFFECTIVE DATE  
AUG 27 20044. REQUISITION/PURCHASE REQ. NO.  
N/A

5. PROJECT NO. (If applicable)

6. ISSUED BY

CODE

PS22-MCN

7. ADMINISTERED BY (If other than Item 6)

CODE

PS22

Procurement Office  
George C. Marshall Space Flight Center  
National Aeronautics and Space Administration  
Marshall Space Flight Center, AL 35812

MSFC Adm: 22-MCN/Anna Stovall  
256-544-0741  
anna.c.stovall@nasa.gov  
AUTOMATED INVOICE PAYMENT INFORMATION: (256) 544-5566

8. NAME AND ADDRESS OF CONTRACTOR (No., street, county, State, and Zip Code)

Hernandez Engineering, Inc.  
16055 Space Center Boulevard, Suite 725  
Houston TX 77062

(x)

9A. AMENDMENT OF SOLICITATION NO.

9B. DATED (SEE ITEM 11)

X

10A. MODIFICATION OF  
CONTRACT/ORDER NO.  
NAS8-00179

10B. DATED (SEE ITEM 13)

CODE

FACILITY CODE 2Y303

10/01/00

**11. THIS ITEM ONLY APPLIES TO AMENDMENTS OF SOLICITATIONS**

☐ The above numbered solicitation is amended as set forth in Item 14. The hour and date specified for receipt of Offers ☐ is extended, ☐ is not extended.  
Offers must acknowledge receipt of this amendment prior to the hour and date specified in the solicitation or as amended, by one of the following methods:

(a) By completing Items 8 and 15, and returning \_\_\_\_\_ copies of the amendment; (b) By acknowledging receipt of this amendment on each copy of the offer submitted; or (c) By separate letter or telegram which includes a reference to the solicitation and amendment numbers. FAILURE OF YOUR ACKNOWLEDGMENT TO BE RECEIVED AT THE PLACE DESIGNATED FOR THE RECEIPT OF OFFERS PRIOR TO THE HOUR AND DATE SPECIFIED MAY RESULT IN REJECTION OF YOUR OFFER. If by virtue of this amendment you desire to change an offer already submitted, such change may be made by telegram or letter, provided each telegram or letter makes reference to the solicitation and this amendment, and is received prior to the opening hour and date specified.

12. ACCOUNTING AND APPROPRIATION DATA (If required)

**13. THIS ITEM APPLIES ONLY TO MODIFICATIONS OF CONTRACTS/ORDERS, IT MODIFIES THE CONTRACT/ORDER NO. AS DESCRIBED IN ITEM 14.**

(x)	A. THIS CHANGE ORDER IS ISSUED PURSUANT TO: (Specify authority) THE CHANGES SET FORTH IN ITEM 14 ARE MADE IN THE CONTRACT ORDER NO. IN ITEM 10A.
	B. THE ABOVE NUMBERED CONTRACT/ORDER IS MODIFIED TO REFLECT THE ADMINISTRATIVE CHANGES (such as changes in paying office, appropriation date, etc.) SET FORTH IN ITEM 14.
X	C. THIS SUPPLEMENTAL AGREEMENT IS ENTERED INTO PURSUANT TO AUTHORITY OF: Changes Clause and Mutual Agreement Between Both Parties
	D. OTHER (Specify type of modification and authority)

E. IMPORTANT: Contractor ☐ is not, ☒ is required to sign this document and return **three (3) original** copies to the issuing office.

	Provisional Est. Cost	Negotiated Est. Cost	Potential Award Fee	Contract Value	Total Sum Allotted
Previous	\$ 909,431	\$33,406,427	\$601,790	\$36,277,485	\$36,277,485
This Mod	(909,431)	2,062,974	126,254	1,279,797	-0-
New Total	\$ -0-	\$35,469,401	\$728,044	\$37,557,282	\$36,277,485

Except as provided herein, all terms and conditions of the document referenced in Item 9A or 10A, as heretofore changed, remains unchanged and in full force and effect.

15A. NAME AND TITLE OF SIGNER (Type or print)

16A. NAME AND TITLE OF CONTRACTING OFFICER (Type or print)

Marty B. Hanson  
Contracting Officer

15B. CONTRACTOR/OFFEROR

15C. DATE SIGNED

16B. UNITED STATES OF AMERICA

16C. DATE SIGNED

(Signature of person authorized to sign)

/s/ original signed by

BY Marty B. Hanson

(Signature of Contracting Officer)

AUG 27 2004

NSN 7540-01-152-8070

PREVIOUS EDITION UNUSABLE

30-105

STANDARD FORM  
30 (Rev. 10-83)  
Prescribed by GSA  
FAR (48 CFR) 53.243

1. The purpose of this modification is to incorporate changes within the general scope of the contract pursuant to the "Changes Clause" as further described herein.
2. This modification hereby incorporates the cost and fee for added scope associated with the following Task Directives identified by Task Directive Control Numbers: 121, 128, 131, 132, 133, 134, 135, 136 and 137. As is permitted by NASA regulations, definitization of these within scope changes is combined for administrative convenience.
3. The amount of this contract as set forth in Block 14 of the face page, Standard Form 30, is hereby increased in the total amount of \$1,279,797 from a previous contract value of \$36,277,485 (which included a provisional estimated cost increase of \$909,431) to a revised contract value of \$37,557,282 for added scope associated with changes definitized herein. As a result, cost and fee are increased by \$2,062,974 and \$126,254, respectively. This cost and fee increase is allotted to Option years 3 and 4 as follows:  
Option Year 3 - Cost \$2,062,974, Fee \$126,254 (Provisional Performance Evaluation fee \$75,752, Provisional Metrics Evaluation Fee \$50,502), Option Year 3 Total \$2,189,228; Option Year 4 - Cost \$449,076, Fee \$27,483 (Provisional Performance Evaluation fee \$16,490, Provisional Metrics Evaluation Fee \$10,993), Option Year 4 Total \$476,559. This modification removes the \$909,431 of provisional contract value added by modification 51 and corrects the Previous Amount for Potential Performance Eval. Fee (60%) Accordingly, the contract is changed in the following particulars All changes are indicated in **BOLD**.
4. Clause B.2 CONTRACT COST AND FEES, paragraph (b) and (c) are hereby deleted in their entirety and the following is substituted in lieu thereof:

B.2 CONTRACT COST AND FEES

"(b) A summary of the estimated cost and fees for the performance of work under this contract is as follows:

	<u>Previous Amount</u>	<u>Adjusted this Mod</u>	<u>New Total</u>
Provisional Cost	\$ <b>909,431</b>	\$ <b>(909,431)</b>	\$ -0-
<u>Estimated Cost</u>	33,406,427	<b>2,062,974</b>	<b>35,469,401</b>
<u>Potential Award Fee(s)</u>	601,790	<b>126,254</b>	<b>728,044</b>
<u>Potential Performance Eval Fee (60%)</u>	<b>361,074</b>	<b>75,752</b>	<b>436,826</b>
<u>Potential Metrics Eval. Fee (40%)</u>	240,716	<b>50,502</b>	<b>291,218</b>
Earned Performance Eval. Fee	840,494	-0-	840,494
Earned Metric Eval. Fee	<u>519,343</u>	<u>-0-</u>	<u>519,343</u>
Total	\$36,277,485	<b>\$1,279,797</b>	<b>\$37,557,282</b>

(c) Estimated cost and fees applicable to each option period are set forth below:

Option No.	Period Covered	Estimated Cost	Provisional Estimated Cost	Potential Performance Evaluation Fee	Potential Metrics Evaluation Fee	Total Option Value
1	10/01/01-09/30/02	\$7,863,911	-0-	\$280,979	\$134,761	\$ 8,279,651
2	10/01/02-09/30/03	9,185,356	-0-	330,555	224,867	9,740,778
3	10/01/03-09/30/04	<b>11,895,806</b>	<b>(909,431)</b>	<b>436,826</b>	<b>291,218</b>	<b>\$11,714,419</b>
4	10/01/04-09/30/05	<b>8,945,736</b>	-0-	<b>328,498</b>	<b>218,999</b>	<b>9,493,233</b>

(End of clause)"

5. Attachment J-1, Performance Work Statement, MSFC Safety & Mission Assurance Services, Table of Contents, page J-1-1 is hereby revised to add Appendix F - Changes to Specifications and the Statement of Work, page J-1-38.

6. Attachment J-4 Section B, METRICS EVALUATION PLAN (MEP), is deleted in its entirety and the following Attachment J-4 Section B, METRICS EVALUATION PLAN (MEP) is substituted in lieu thereof to amend the Negotiated Composite Direct Labor Rate (CDLR) for Option Year 3.

7. CONTRACTOR'S RELEASE STATEMENT

In consideration of the modification(s) agreed to herein as complete equitable adjustment for all claims arising out of or attributable to the issuance of the contract change(s) and/or contractor proposal(s) listed below, including all other subsequent proposal updates, the contractor hereby releases the Government from any and all liability under this contract for further equitable adjustments attributable to such facts or circumstances giving rise to said contract change(s) and/or contractor proposal(s), and for such additional obligations as may be required by this modification.

Contract

Change Identification

Modification 52

Task Directive Control Numbers: 121, 128, 131, 132, 133, 134, 135, 136 and 137.

Contract

Proposal Number

HEI Proposal Nos.: 019-032904-TC dated March 29, 2004; 032-050504-TC dated May 5, 2004; 038-051704 dated May 17, 2004; 040-052104-TC dated May 21, 2004; 045-052804 dated May 28, 2004; 046-052804-TC dated May 28, 2004; 047-052804-TC dated May 28, 2004; 048-052804-TC dated May 28, 2004 and 063-072804-TC dated July 28, 2004

APPENDIX F

CHANGES TO SPECIFICATIONS AND THE STATEMENT OF WORK

Modification Number	Task Directive Number	Proposal Number
9	0016	9603-052901PAH
10	002,004,005,006	104-062601-TC
11	008	111-072701-TC
16	0010	133-111601-TC
19	0013	150-012802-TC
19	0015	151-012802-TC
20	0111	160-031202-TC
22	0014	175-052902-TC
22	0011	140-010402-TC
23	0110	165-032102-TC
23	0112	187-071502-TC
30	0113,0114,0115	007-011603-TC
32	0118	016-022003-TC
32	051	009-021003-TC
32	0116	011-021203-TC
33	0120	028-042403-TC
34	Continuation of TD 0118	029-042503-TC
36	0125	040-061003-TC
37	0126	041-061003-TC
38	0124	050-071403-TC
39	0122,0123	049-071003-TC
49	35B	008-013004-TC
49	0132	020-033104-TC
52	0134	019-032904-TC
52	0121	032-050504-TC
52	0131	038-051704-TC
52	0128	040-052104-TC
52	0136	045-052804-TC
52	0132	046-052804-TC
52	0135	047-052804-TC
52	0133	048-052804-TC
52	0137	063-072804-TC

NAS8-00179  
Modification 52  
Attachment J-4 Section B

Period	Negotiated Composite Direct Labor Rate (CDLR)
Base Year	
Option Year 1	
Option Year 2	
Option Year 3	
Option Year 4	

A performance-based metric will be used to score the contractor's achievement of cost performance criteria. The metric will be the composite actual fully burdened labor rate, in comparison to the composite fully burdened negotiated labor rate for the contract period.

**SUCCESSFUL PERFORMANCE (Cost Criterion):**  
Successful performance of the cost performance criterion is defined by the effective management of the actual incurred, fully burdened, direct labor cost in comparison to the negotiated, fully burdened, direct labor rate. If, during the evaluation period, the contractor's cost performance results in an actual incurred rate that is 95 percent or less in comparison to the fully burdened direct labor negotiated for the contract, the contractor will be entitled to the full 30 percent of the fee potential for this cost performance criterion. The maximum allowable defect rate (MADR) for the cost performance criterion is an actual incurred rate that is .95 when compared to the negotiated direct labor cost rate. If the contractor fails to control the actual incurred direct labor cost rate and it exceeds the negotiated direct labor cost rate, the full 30 percent fee potential for this criterion will be forfeited.

The table below relates cost performance to the potential fee deductions that will apply above the MADR of 0.95:

Actual Incurred Rate (AIR) Divided By Negotiated Rate for the Period	Deduction in Potential Cost Performance Fee
< 0.95	0%
If $\geq 0.95$ but $< 0.96$	10%
If $\geq 0.96$ but $< 0.97$	20%
If $\geq 0.97$ but $< 0.98$	30%
If $\geq 0.98$ but $< 0.99$	40%
If $\geq 0.99$ but $\leq 1.0$	50%
$> 1.0$	100%

Annual determinations against the cost performance criterion will occur at completion of the base period and, as applicable, each option period of the contract (i.e. periods 2, 4, 6, 8, and 10).